



Entered on Docket  
January 14, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

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US Bank NA  
08-77052 / 7810486818

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Robert Hernandez and Sun Hernandez

Debtor(s).

BK-S-08-20013-lbr

Date: 12/30/08

Time: 9:30 a.m.

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
3 Secured Creditor US Bank NA, its assignees and/or successors in interest, of the subject property,  
4 generally described as 3691 N. Walnut Rd., Las Vegas, NV 89115, and legally described as follows:  
5

6 LOT SIXTY-TWO (62) IN BLOCK B OF LEWIS HOMES-MOUNTAIN VIEW ESTATES  
7 NO.2, AS SHOWN BY MAP THEREOF ON FILE IN BOOK 30 OF PLATS, PAGE 51 IN  
8 THE OFFICE OF THE COUNTY RECORDER OF CLARK COUNTY, NEVADA.

9 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give  
10 Debtors and Trustee at least five business days' notice of the time, place and date of sale.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
12 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of  
13 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured  
14 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

15 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

16 Submitted by:  
17 **WILDE & ASSOCIATES**

18 By \_\_\_\_\_  
19 **GREGORY L. WILDE, ESQ.**  
20 Attorney for Secured Creditor

21 APPROVED / DISAPPROVED

22 \_\_\_\_\_  
23 Matthew E. Aaron  
24 Attorney for Debtor(s)

25 APPROVED / DISAPPROVED

26 \_\_\_\_\_  
Kathleen A Leavitt  
Chapter 13 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor